

13-CV-00716-APPR

FILED ENTERED
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AUG 22 2013

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

RICKEY ARELIUS BEAVER,

Petitioner,

v.

MARY ANN KEOGH HOSS,

Respondent.

Case No. 2:13-CV-00716-RSL

**ORDER DISMISSING 28 U.S.C.
§ 2254 HABEAS PETITION AS
TIME-BARRED AND FOR
FAILURE TO EXHAUST STATE-
COURT REMEDIES**

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the responsive briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and orders as follows:

1. The Report and Recommendation is ADOPTED;
2. Petitioner's § 2254 habeas petition is DISMISSED as time-barred as to all claims except for the possible challenge to a January 2013 revocation of conditional release;
3. Petitioner's possible challenge to a January 2013 revocation of conditional release is DISMISSED without prejudice for failure to exhaust state-court remedies;
4. Petitioner is DENIED issuance of a certificate of appealability; and

ORDER DISMISSING 28 U.S.C. § 2254 HABEAS PETITION AS
TIME-BARRED AND FOR FAILURE TO EXHAUST STATE-
COURT REMEDIES- 1

1 5. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

2 DATED this 21st day of Aug., 2013.

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4 ROBERT S. LASNIK
5 United States District Judge
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ORDER DISMISSING 28 U.S.C. § 2254 HABEAS PETITION AS
TIME-BARRED AND FOR FAILURE TO EXHAUST STATE-
COURT REMEDIES- 2